

# **Exhibit 6**

**PX 279**

EXHIBIT  
25-ZABEK

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**From:** ipe@polycircle.com on behalf of Jason.Zabek@cox.com  
**Sent:** Thursday, March 24, 2011 9:59 AM  
**To:** ipe@polycircle.com  
**Subject:** [ipe] digitalrightscorp.com

Hello...

Has anyone else dealt with digitalrightscorp.com?

They offer settlements to people so they do not have to sue them (oh sorry, I just laughed a little)

I told them no thanks. The dude sends me these 'instructions' for Cox and after I got done laughing, I wrote them back.

Just wonder if anyone has dealt with these tools also and what you did.

I really hope they push this and threaten to sue us. We have all our ducks in a row on DMCA and I would dig going to court and either shoving it in there face or destroying the DMCA.

## COX

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Jason Zabek  
Manager, Customer Safety  
404-269-8129 tel  
1400 Lake Hearn Dr, Atlanta GA 30319

Visit the MyAxis page: [TechOps](#)  
(Insert benign saying here)

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**From:** Robert Steele [mailto:rsteale@digitalrightscorp.com]  
**Sent:** Wednesday, March 23, 2011 3:06 PM  
**To:** Zabek, Jason (CCI-Atlanta)  
**Subject:** RE: [FWD: RE: DMCA notices]

Jason,

Please pass this report along to your boss and have him call me to discuss your proposed solution to these Cox customers who are repeatedly infringing on our copyrights.

The industry now has years of data to prove that the cease and desist notices you offer to send have no effect.

Our request is easy to implement and reasonable.

Sincerely,

Robert Steele  
CTO  
[www.digitalrightscorp.com](http://www.digitalrightscorp.com)  
310-968-4213

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**From:** Jason.Zabek@cox.com [mailto:Jason.Zabek@cox.com]  
**Sent:** Wednesday, March 23, 2011 8:18 AM

**To:** stlrbrt@yahoo.com  
**Cc:** dmca@digitalrightscorp.com; cjsabec@digitalrightscorp.com  
**Subject:** RE: [FWD: RE: DMCA notices]

Robert,

We will accept your DMCA complaints as long as they do not have a settlement offer.  
Your corrected DMCA complaints can be sent to [abuse@cox.net](mailto:abuse@cox.net). You can send me a copy first of the complaint with the corrections for review before you send the first one in.

We have an escalation and termination process here and we act upon valid DMCA requests.  
We will not be able to confirm with you any of our internal processes or any termination of a customer.  
DMCA makes up about 70% of our workload and we can not respond to every request.

Thanks!

**COX**

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Jason Zabek  
Manager, Customer Safety  
404-269-8129 tel  
1400 Lake Hearn Dr, Atlanta GA 30319

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**From:** Robert Steele [mailto:stlrbrt@yahoo.com]  
**Sent:** Tuesday, March 22, 2011 12:50 AM  
**To:** Zabek, Jason (CCI-Atlanta)  
**Cc:** dmca@digitalrightscorp.com; 'Christopher Sabec'  
**Subject:** RE: [FWD: RE: DMCA notices]

Jason,

Thank for your email maintaining that Cox Communications ("Cox") has a policy of not forwarding infringement notices which contain settlement offers. The DigitalRights process we are requesting you take action on is a comprehensive solution to the piracy issue that decreases Cox's operating costs and treats your customers with respect, while holding them to an appropriate level of accountability under the law.

I have attached a detailed report on your customer at IP 70.173.181.11 Port 6346, that as of 5:53 PDT 3/17/11 has infringed on our copyrights 193 times since March 2, 2011 and is thus a "Repeat Infringer" under the DMCA. As I am sure you are aware, the DMCA requires that Cox to terminate Repeat Infringers, and thereby lose a customer. The DigitalRights' process is designed to help you prevent this outcome.

The DigitalRights business process requests that you to take action by forwarding our settlement offers. We believe that this is in Cox's best interests. We have more than two years experience that our offers of settlement, for \$10.00 per infringement, reduce piracy of the underlying copyrighted works. Their effectiveness is proven, i.e., the flow of settlement notices to infringers reduces illegal traffic and frees up your bandwidth and resources, lowering your cost per customer. Cease and desist notices have proven to have no effect. Our customers who have used C&D notices see no decrease in the piracy of their copyrights. The DMCA requires you to "Act" when we present you with "actual knowledge" of an infringement in order to maintain your Safe Harbor. We respectfully submit that not forwarding the DigitalRights notices as received does not satisfy Cox's responsibility to "Act" under the DMCA.

Additionally, under the DMCA, when you are presented with a repeat infringer like your customer at IP 70.173.181.11 Port 6346, the law says your must terminate their account and lose a customer. We are going to be sending you thousands of such notices. Our copyright owners will be satisfied by the following process:

- a. Cox sends our settlement notices;
- b. Cox temporarily suspends the repeat infringers;
- c. Cox monitors communications from DigitalRights that indicate when Cox' customers that are repeat infringers have settled; and
- e. Cox re-connects the subscriber once they have settled

This process is a better solution for Cox than the letter of the DMCA law, which mandates that you must terminate the subscriber at IP 70.173.181.11 Port 6346. We estimate that Cox has approximately 3 million subscribers. On average an American broadband user downloads 53 illegal music files a year, thus we estimate that approximately 150 million illegal music downloads are transacted on your network annually. We have implemented technology to identify these repeat infringers.

Additionally, we have an opt-in, web-based dashboard for Cox Communications to reduce your overhead in satisfying your legal requirements pursuant to our notices. On your dashboard, you can see all of the notices we send, the detail on the notices, an up-to-the minute list of the multiple infringers on your network and the status of the infringers who have settled with us so you can quickly re-connect them. You can log into your dashboard at <https://secure.digitalrightscorp.com/isp/>.

If Cox continues to refrain from our request to act under the DMCA by forwarding the settlement offer, then we ask that you confirm the termination of the subscriber's services at IP 70.173.181.11 Port 6346 as proscribed by the DMCA.

Sincerely  
Robert Steele  
CTO

**From:** Zabek, Jason (CCI-Atlanta)  
**Sent:** Wednesday, March 09, 2011 1:54 PM  
**To:** [DMCA@DigitalRightsCorp.com](mailto:DMCA@DigitalRightsCorp.com)  
**Subject:** DMCA notices

Rightscorp INC,

Recently, Cox has received DMCA notices from your company requiring alleged infringers to make a settlement to avoid legal action.

Cox Communications does not accept nor process infringement notices which contain settlement offers. Please remove the links to the settlement offers from your notices and will gladly process them.

Once this is done you may contact me and we will begin to process the complaints.

Thank you.

**COX**

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**Jason Zabek**  
**Manager, Customer Safety**  
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